

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

----- X
ALEX HERSHMAN and DORA
HERSHMAN,

Plaintiffs,

v.

MEDTRONIC, INC.,

Defendant.
----- X

08 Civ. 7689 (CS)(GAY)

**AFFIRMATION OF
SERVICE**

MAURICIO A. ESPAÑA, an attorney admitted to practice in the courts of the State of New York, affirms under penalty of perjury:

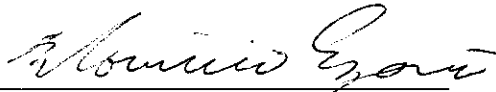
1. I am associated with the firm of Mayer Brown LLP, attorneys for Defendant Medtronic, Inc.

2. On September 3, 2008, I served a true and correct copy of Defendant's Notice of Removal by overnight delivery, on the following attorneys appearing in the above-captioned action at the address designated by him for that purpose:

Christopher R. LoPalo, Esq.
NAPOLI BERN RIPKA & ASSOCIATES LLP
350 Fifth Avenue, Suite 7413
New York, New York 10118
(212) 267-3700

by depositing true and correct copies properly enclosed in postpaid wrappers into the custody of UPS, which is an overnight delivery service, for next-business day delivery, prior to the latest time designated by UPS for next business day service.

Dated: September 3, 2008
New York, New York



Mauricio A. España